

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 14, 2007**

DIVISION ONE

B191853      People                                  (Not for Publication)  
v.  
Gary Lavons Williams

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B191046      Henderina Rolan      (Not for Publication)  
v.  
Nursing Home Solutions, Inc., et al.

Respondent's petition for rehearing has been read and considered. Any claim for attorney fees under Civil Code section 1717 should be presented to the trial court in the first instance at the appropriate time. (See Cal. Rules of Court, rule 8.276(a)(2), (c)(2); *Lachkar v. Lachkar* (1986) 182 Cal.App.3d 641, 648-649.) There is no change in the judgment. Respondent's petition for rehearing is denied.

Mallano, Acting P.J.      Vogel, J.      Rothschild, J.

June 14, 2007 (Continued)

## DIVISION ONE (continued)

B185190      Quan                          (Not for Publication)  
v.  
Gray

The June 13, 2005 judgment is reversed in its entirety, and the cause is remanded to the trial court with directions (1) to direct Delgado to answer the Quans' breach of contract cause of action and (2) to set the matter for trial. Delgado's request for sanctions is denied. The Quans are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Rothschild, J.

### DIVISION THREE

B187392      People                                  (Not for Publication)  
v.  
Jose Beteta

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The true findings on the Penal Code section 186.22, subdivision (b)(1), gang enhancement as to counts 1, 2 and 3 are reversed. The true finding on the gang enhancement as to count 4 is reversed and remanded for proceedings consistent with this opinion. The judgment is otherwise affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

DIVISION THREE (continued)

B195944      Garabet, etc., et al.                      (Certified for Publication)

v.

Superior Court, Los Angeles County  
(Boghosian, r.p.i.)

Let a writ of mandate issue directing the trial court to grant defendants' summary judgment motions and enter summary judgment for defendants. Defendants are awarded costs.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                         Kitching, J.

B189531      People    (Not for Publication)

v.

Kimberly Strand

The judgment is affirmed.

Croskey, Acting P.J.

We concur:    Kitching, J.  
                         Aldrich, J.

B193743      Mark E. Overland et al

v.

John A. Clarke et al

Filed order vacating submission order of June 12, 2007. The matter will be resubmitting upon the completion of supplemental briefing.

June 14, 2007 (Continued)

DIVISION FOUR

[illegible]

The judgment is affirmed.

Suzukawa, J.

We concur: Willhite, Acting P.J.  
Manella, J.

## DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B190650 People v. Sawyer et al.,  
B191200 People v. Thomas  
B191564 People v. Jones  
B192538 People v. Rodriguez  
B192766 People v. Audelo  
B195472 People v. Heron

Argument waived, cause submitted.

B187970      In re Mario Esteban Chen  
On  
Habeas Corpus

Merits:  
Argued by Kiana Sloan-Hillier for petitioner and by Laura Kessner, Deputy District Attorney for respondent. Cause submitted.

DIVISION SEVEN, (continued)

B188536     People  
              v.  
              Pooyan Nasibi

Merits:  
Argued by Garrett Zelen for appellant and by Roberta Davis, Deputy  
Attorney General for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J. and Eva McClintock, Deputy Clerk.

B193620     Steven Grayson  
              v.  
              Jerome Goldstein

Merits:  
Argued by Mary-Felicia Apanius for appellant and by Eric Yamamoto for  
respondent. Counsel stipulate to Justice Zelon's participation by listening  
to the audio recording of oral argument. Cause submitted.

B191300     Mizrahi  
              v.  
              Mizrahi

Merits:  
Argued by Robert Reamer for appellant and by James Cooper for  
respondent. Cause submitted.

DIVISION SIVEN (continued)

B188990 Rudy Plazola, Jr., et al.,  
v.  
Los Angeles Unified School District

Merits:

Argued by Michael Hemming for appellants and by Calvin House  
for respondent. Cause submitted.

Court recessed.

Court convened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J. and Eva McClintock, Deputy Clerk.

B190186 Softex, Inc., et al.,  
v.  
American International

Merits:

Argued by John Blanchard for appellants and by Gail Cohen for  
respondent. Cause submitted.

B191259 Serra Canyon Property  
v.  
California Coastal Commission  
City of Malibu

Merits:

Argued by Terry Fujimoto, Deputy Attorney General for appellant and by  
Sherman Stacey and Christi Hogin for respondents. Counsel stipulate to  
Justice Zelon's participation by listening to the audio recording of oral  
argument. Cause submitted.

Court adjourned.

June 14, 2007 (Continued)

## DIVISION SEVEN (continued)

B191210 People (Not for Publication)  
v.  
Rios

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Woods, J.

[illegible]

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Zelon, J.

B192902      Chang      (Not for Publication)  
v.  
Wei

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, Acting P.J.

We concur: Woods, J.  
Zelon, J.